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HIGH COURT OF CHHATTISGARH AT BILASPUR
WRIT PETITION (S) NO. 3801 of 2007

Petitioner		Ku. Champa Kuldeep, D/o Late Chandan Singh Kuldeep, aged about 24 years, R/o-Rajapara, Kanker, District, North Bastar, Kanker (C.G.)
	Versus	
Respondents	1.	State of Chhattisgarh through the Secretary, Deptt. Of Home (Police), D.K.S. Bhawan, Mantralaya, Raipur (C.G.)
	2	Director General of Police, Chhattisgarh, Raipur (C.G.)
	3.	Assistant Inspector General of Police (Personal), Police Head Quarter, Raipur (C.G.)
	4.	Superintendent of Police, Kanker, District Kanker (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Single Bench :- Hon'ble Shri Justice **Satish K. Agnihotri**

Present :- Shri Sanjay Patel, Advocate for the petitioner.
Shri A.S. Kachhawaha, Govt. Advocate for the respondents/State.

ORDER
(Passed on this 3rd day of July, 2007)

1. Learned counsel appearing for the petitioner submits that the petitioner is a daughter of Shri Chandan Singh Kuldeep, who died on 21.3.2002, while working as Sub Inspector in Police Station, Kanker in harness. She made an application for compassionate appointment. The application of the petitioner by the order dated 10.8.2004 (Annexure P/1) was rejected on the ground that her elder sister is already in employment. He further submits that the elder sister of the petitioner have been living separately before the death of the deceased father.

2. This Court by the judgment and order dated 27.6.2006 passed in **W.P. No. 3569/2005 (Ku. Joyti Agrawal vs. State of Chhattisgarh and others)** held as under:-

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"Now the question that the brother of the petitioner is already employed as Clerk in the Education Department, therefore, she is not entitled for the compassionate appointment is concerned, in the rejoinder it has been mentioned that he was residing separately with his mother and not with his father along with petitioner, therefore, same cannot be taken to be a ground for refusing compassionate appointment to her"

3. In view of clear finding of this Court, the respondents/authorities are directed to conduct necessary enquiry in this regard and consider the case of the petitioner in accordance with the Government policy and also in accordance with the judgment and order passed in the case of **Ku. Joyti Agrawal** (supra), within a period of three months from the date of receipt of a copy of this order.

4. The writ petition is accordingly allowed.

Sd/-
Satish K. Agnihotri
Judge

B/